

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KENNETH E. NOVAK,

Plaintiff,

V.

GORDON R. ENGLAND, Secretary of the
U.S. Navy,

Defendant.

Case No. C05-5584FDB

ORDER REQUIRING MEDIATION

9 The parties advise the Court that they have engaged in informal mediation without success.
10 The deadline for submitting a settlement report was May 30, 2007, which the parties missed.
11 Meanwhile, Defendant has moved for dismissal or summary judgment, which motion will be ready
12 for the Court's consideration on July 13, 2007. The parties request that the Court relieve them of
13 any further mediation obligation.

14 While the parties may have engaged in informal settlement discussions, the report was not
15 timely filed. Moreover, while the Court understands the parties positions on the matter as set forth
16 in the stipulated motion, a mediator, may, nevertheless be helpful. ACCORDINGLY,

17 IT IS ORDERED: The Parties' Motion for an Order Relieving them of the obligation to
18 participate further in mediation [Dkt. # 14] is DENIED. The parties shall mediate and file a report
19 no later than July 20, 2007; the Court will defer decision on Defendant's motion to dismiss until the
20 mediation report is filed.

DATED this 26th day of June, 2007.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

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